

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**DEXTER REGENE HOLMES,**

**Plaintiff,**

**v.**

**JAMES DELOACH, et al**

**Defendants.**

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**2:07-cv-219-WKW**

**ANSWER**

**COMES NOW**, the defendants, James DeLoach, Phyllis Billups, Gwendolyn Tarrance, Sonja Rose, and Samuel Johnson, by and through Bettie J. Carmack of the Attorney General's Office, and hereby files their answer in the above stated cause of action:

1. The defendants deny each and every material allegation of the plaintiff's complaint and demands proof of the same.
2. The defendants deny that any of the plaintiff's constitutional rights have been violated.

**DEFENSES and AFFIRMATIVE DEFENSES**

- A. The defendants contend that the plaintiff has failed to state a cause of action against them.
- B. The defendants did not violate the plaintiff's civil rights, or any federal or state laws or regulations.
- C. The defendants are entitled to qualified, state-agent, and good faith immunity for the allegations in the plaintiff's complaint.
- D. The defendants are entitled to absolute immunity for the claims against them in his official capacity.

RESPECTFULLY SUBMITTED, this the 14th day of May, 2007.

TROY KING (KIN-047)  
ATTORNEY GENERAL  
By:

/s/BETTIE J. CARMACK  
Bettie J. Carmack (CAR-132)  
*Assistant Attorney General*  
*Civil Litigation Division*  
11 South Union Street  
Montgomery, AL 36130  
Telephone: (334) 353-5305  
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**CERTIFICATE OF SERVICE**

This is to certify that I have on this **15<sup>th</sup>** day of **May 2007**, served copies of the foregoing *pleading* upon the plaintiff by depositing same in the United States Mail, addressed as follows:

**Inmate Dexter Regene Holmes**  
**AIS #: 247684**  
**Draper Correctional Facility**  
**P. O. Box 1107**  
**Elmore, AL 36025**

/s/ BETTIE J. CARMACK  
Bettie J. Carmack (CAR -132)  
*Assistant Attorney General*